

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-7 and 9-35 are pending and under consideration.

Claims 1, 9, 11 and 12 have been amended. Claim 8 has been cancelled without prejudice to or disclaimer of the subject matter recited therein.

Claims 1, 12, 19 and 29 are the independent claims.

Applicants acknowledge with appreciation that claims 19–35 are allowed.

No new matter is believed to have been added. Reconsideration is respectfully requested.

II. THE OBJECTION TO THE CLAIMS

Claims 1 and 8 are objected to because of minor grammatical informalities listed on page 2 of the Office Action.

Applicants have amended claim 1 to correct the minor informalities indicated by the Examiner. Accordingly, Applicants respectfully request that the objection to claim 1 be withdrawn.

Applicants have cancelled claim 8, without prejudice or disclaimer of the subject matter recited therein, accordingly, the objection to claim 8 is moot.

III. THE REJECTION UNDER 35 U.S.C. §102

Claims 1, 2, 5-7, 16 and 18 are rejected under 35 U.S.C. §102(b) as being anticipated by Yuji et al. (JP2000100560).

Applicants respectfully traverse this rejection for at least the following reasons.

Independent claim 1 recites a dual-type organic electroluminescent display (EL) device comprising, amongst other novel features, an absorbing unit preventing moisture from infiltrating into the main and sub organic EL portions, the **absorbing unit provided in a sealed area defined by the sealing member**.

Yuji discloses a display element using a flat substrate as a back plate for sealing. The

display includes an ITO layer 3021, an organic layer 3031 and a transparent cathode layer 3041 formed in sequence of the surface of the transparent substrate 3011. Yuji also discloses a transparent substrate 3012 installed against the transparent substrate 3011, and an ITO layer 3022, an organic layer 3032 and a transparent cathode layer 3042 formed in sequence on the surface of the transparent substrate 3012. Yuji also discloses a resin 305 containing particles 306a and a moisture absorbent 306b filled at the peripheral section of the transparent substrate to form an adhesive layer.

Accordingly, Yuji discloses a display comprising a substrate, an organic layer, a cathode layer, and a resin having moisture absorbent particles located at a peripheral section of the transparent substrate to form an adhesive layer. Therefore, although Yuji discloses a resin having moisture absorbent particles, Yuji fails to teach or suggest an absorbing unit preventing moisture from infiltrating into the main and sub organic EL portions, the **absorbing unit provided in a sealed area defined by the sealing member**, as recited in amended independent claim 1.

Accordingly, Applicants respectfully assert that the rejection of claim 1 under 35 U.S.C. § 102 (b) should be withdrawn because Yuji fails to teach or suggest each feature of independent claim 1.

As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)."

Furthermore, Applicants respectfully assert that the rejection of dependent claims 2, 5-7, 16 and 18 under 35 U.S.C. §102(b) should be withdrawn at least because of their dependence from claim 1 and the reasons set forth above, and because the dependent claims include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 2, 5-7, 16 and 18 also distinguish over the prior art.

IV. THE REJECTION UNDER 35 U.S.C. §103

Claims 3 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yuji.

Applicants respectfully traverse this rejection for at least the following reason.

Claims 3 and 4 depend from claim 1 and as noted above, Yuji fails to teach or suggest

the features of claim 1.

Accordingly, Applicants respectfully assert that the rejection of dependent claims 3 and 4 under 35 U.S.C. §103(a) should be withdrawn at least because of their dependence from claim 1, and because the dependent claims include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 3 and 4 also distinguish over the prior art.

Claims 8-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yuji in view of Park et al. (US 6,744,197).

Applicants respectfully traverse this rejection for at least the following reasons.

Claim 8 has been cancelled without prejudice or disclaimer of the subject matter recited therein, and its features have been incorporate into claim 1. Accordingly, the rejection of claim 8 is moot.

Claims 9 and 11 have been amended to depend from independent claim 1, and as noted above, Yuji fails to teach or suggest the features recited in independent claim 1.

Regarding Park, the date of invention of the instant invention is at least as early as July 23, 2002, which is the foreign priority date based upon the prior filing of the foreign counterparts to the instant application in the Korean Intellectual Property Office. Copies of the foreign counterparts were previously filed, as acknowledged by the Examiner on page 1 of the Office Action mailed November 8, 2005.

An English translation of the priority document Korean Application No. 2002-43271 claiming priority to July 23, 2002, along with corresponding statements from the translators in compliance with 37 CFR 1.55(a)(4) are enclosed herewith. As such, it is respectfully submitted that the Applicants have established a date of invention of at least as early as July 23, 2002.

Park has a U.S. filing date of December 27, 2002. As noted above, the present application claims priority to July 23, 2002. Accordingly, Park has a priority date under 35 U.S.C. §102(e) which is after the priority date of the present application. Therefore, Park does not qualify as prior art under 35 U.S.C. § 102(e) and cannot be used in combination with Yuji.

Accordingly, Applicants respectfully assert that the rejection of claims 9-11 under 35 U.S.C. § 103(a) should be withdrawn at least because of their dependence from independent claim 1 and the reasons set forth above.

Claim 12 has been rewritten in independent form to incorporate all of the features of claim 1.

As noted above, Park does not qualify as prior art and cannot be used in combination with Yuji. Yuji on the other hand, fails to teach or suggest the features of claim 12, as noted by the Examiner.

Accordingly, Applicants respectfully assert that the rejection of claim 12 under 35 U.S.C. § 103(a) should be withdrawn.

Furthermore, Applicants respectfully assert that the rejection of dependent claims 13-15 under 35 U.S.C. §103(a) should be withdrawn at least because of their dependence from claim 12 and the reasons set forth above, and because the dependent claims include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 13-15 also distinguish over the prior art.

Claim 17 is rejected under 35 U.S.C. §103(a) as being unpatentable over Yuji in view of Kim (KR 2003048230).

Applicants respectfully traverse this rejection for at least the following reason.

Claim 17 depends from claim 16 which in turn depends from independent claim 1.

As noted above, Yuji fails to teach or suggest the features recited in amended independent claim 1 and Kim fails to cure the deficiencies of Yuji.

Furthermore, Kim does not qualify as prior art for the following reason. The date of invention of the instant invention is at least as early as July 23, 2002, which is the foreign priority date based upon the prior filing of the foreign counterparts to the instant application in the Korean Intellectual Property Office. Copies of the foreign counterparts were previously filed, as acknowledged by the Examiner on page 1 of the Office Action mailed November 8, 2005.

An English translation of the priority document Korean Application No. 2002-43271 claiming priority to July 23, 2002, along with corresponding statements from the translators in compliance with 37 CFR 1.55(a)(4) are enclosed herewith. As such, it is respectfully submitted that the Applicants have established a date of invention of at least as early as July 23, 2002.

Kim has a U.S. filing date of June 19, 2003. As noted above, the present application claims priority to July 23, 2002. Accordingly, Kim has a priority date under 35 U.S.C. §102(e) which is after the priority date of the present application. Therefore, Kim does not qualify as prior

art under 35 U.S.C. § 102(e).

Accordingly, Applicants respectfully assert that the rejection of claim 16 under 35 U.S.C. § 103(a) should be withdrawn.

V. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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